



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

MICHAEL A. CARDOZO  
Corporation Counsel

ERIC PROSHANSKY  
Phone: 212.788.1324  
Fax: 212.788.1633  
eproshan@law.nyc.gov

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**BY HAND - COURTESY COPY - ORIGINAL FILED BY ECF**

Honorable Carol B. Amon  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201-1818

Re: *The City of New York v. Milhelm Attea & Bros, Inc.*, et al., 06 Civ. 3620 (CBA);  
*The City of New York v. Golden Feather Smoke Shop, Inc.*, et al., 08 Civ. 3966  
(CBA)

Dear Judge Amon:

I enclose a copy of today's decision by the Second Circuit Court of Appeals in *Oneida Nation of New York et al v. Cuomo*, et al., 10-4265(L), which upholds the amendments to the New York State Tax Law. This decision bears on various motions pending before the Court in the two captioned cases.

Thank you for your consideration of this matter.

Respectfully submitted,

  
Eric Proshansky

Enc.

cc: All Counsel of Record